

ENMWUA Regular Board Meeting

DATE: Thursday, September 28, 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 3:02 pm

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4 **2. Roll Call**

5 Roll was called and the following ENMWUA Board Members were in attendance in-person: Chairman Morris,
6 Secretary Bryant, Member Garza, Member Lucero, and Member Carter. Vice-Chair Jackson was absent.
7 ENMWUA Administrator Orland Ortega and staff as well as ENMWUA Attorney Kameron Barnett, Jim Honea,
8 and Wendy Christofferson with Jacobs Engineering. John Irizarry with the Bureau of Reclamation was present
9 via Teams. Members of the public that attended: Madison Willis from the Eastern New Mexico News.

10

11 **3. Approval of Agenda**

12 A motion to adopt the agenda was unanimously approved.

Result: Approved by Vote (5-0)

Ayes: 5

Nays: 0

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14 **4. Approval of Minutes**

15 a) The Board unanimously approved the minutes from the Regular Board Meeting held on Thursday,
16 August 24, 2023, at 3:00 pm at the Clovis Carver Library (Ingram Room), Clovis NM, 88101.

Result: Approved by Vote (5-0)

Ayes: 5

Nays: 0

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18 **5. Public Input**

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

20

21 **6. Monthly Financials**

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

23 Mr. Ortega reported total revenues for the month ending August 31, 2023, were in the amount of
24 \$4,963,149.70. Of that amount the Authority received revenue from State Funds for a total of \$474,912.36
25 those included disbursement requests for SAP funds for Task Orders with Jacobs Engineering. Interest
26 earned for the month of August was \$1,066.64, expenditures reported for the month of August 2023, was
27 \$3,343,862.47. Bank account balances reported as of August 31, 2023, were as follows: ENMWUA
28 business checking account had a balance of \$243,908.83, ENMWUA Money Market account had a balance
29 of \$2,917,961.09, Capital Construction account had a balance of \$272,276.19, and the ENMWUA CD had
30 a balance of \$2,541,595.63. Reported as of September 28, 2023, ENMWUA business checking account had
31 a current balance of \$184,938.52, Money Market account balance sits at \$4,054,575.10, ENMWUA CD
32 balance is reported the same at \$2,541,595.63, and Capital Construction account has a current balance of
33 \$272,275.67. The total balance of all Authority accounts as of September 28, 2023, was reported at
34 \$7,053,384.92. A motion was made for approval of the monthly financials, and a roll call vote took place.

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

35

36 b) Consideration of Approval for Renewal of ENMWUA Certificate of Deposit for a One-Year Term
37 beginning September 28, 2023, and placing additional ENMWUA Funds into a Second Certificate of
38 Deposit for a Six-Month Term Beginning September 28, 2023. – Ortega

39 Mr. Ortega stated the ENMWUA certificate of deposit maturity date is September 28, 2023. The Authority
40 received three quotes from the following local banks:

- 41 1. The Citizens Bank of Clovis – 6-month term at 5.00%, 1-year term at 5.30%.
- 42 2. US Bank – 6-month term at 4.74%, 1-year term at 4.83%.
- 43 3. The Bank of Clovis – Proposed a 6-month Treasury at 5.00%, and a 1-year Treasury at 4.85%.

44 Mr. Ortega explained that this item did go before the Finance Committee for recommendation. The
45 Finance Committee also suggested the Authority should look at placing additional funds, most particularly
46 the restricted funds and any additional that can be considered for a 6-month term.

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

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Result: Approved by Vote (5-0)

Motion:
Garza

Second:
Lucero

Ayes: 5

Nays: 0

49

50 **7. New Business Items**

51 a) Request for Approval of Budget Adjustment Resolution 2023-14 for ENMWUA FY2024 Budget. – Ortega
52 Mr. Ortega informed the Board members that at this time the Authority would like to add the FY2023
53 USBR R21AC10443 Amendment #1 funding (2nd year of 5) to the FY2024 ENMWUA budget. The amount is
54 \$94,139,421.04. Mr. Ortega presented the USBR Amendment #1, Resolution 2023-14, and the breakdown
55 of this revenue and what projects the funds will be submitted to the NM Department of Finance and
56 Administration along with the approved and signed resolution.
57 A motion was made for approval, and a roll call vote took place.
58

Result: Approved by Vote (5-0)

Motion:
Lucero

Second:
Bryant

Ayes: 5

Nays: 0

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60

61 b) Request for Approval of Amendment #1 to the Grant Agreement between the ENMWUA and the State
62 of New Mexico Department of Environment Fund 89200 Capital Appropriation Project SAP 22-G2320-STB
63 for the Eastern New Mexico Rural Water System Project involving Database Reporting. – Ortega, Bowens
64 Mr. Ortega explained this item involves an amendment to Capital Outlay requirements involving
65 reporting. Mr. Ortega asked Chief Procurement Officer Jacquelynn Bowens to provide further details. Ms.
66 Bowens reported the SAP 22-G2320-STB Amendment 1 original database reporting is as follows:

- Monthly reports on Project activity were required.
- Reporting was completed within completed CPM system maintained by DFA.

69 The amended database reporting is as follows:

- Quarterly reportes on project activity are now required.
- Reporting will be completed within the Budget & Formulation Management System (a new system) maintained by DFA. The new system is not available currently. ENMWUA will continue to keep in close contact with our Project Administrator for updates.

74 Ms. Bowens further reported the award amount is \$20,000,000.00 with a reversion date of June 30, 2026.
75 The project description is to acquire easements and rights of way and to plan, design, construct, and install

76 a WTP including pump stations, high-capacity lines, and storage tanks, for the Eastern New Mexico Water
77 Utility Authority in Curry County.
78 A motion was made for approval, and a roll call vote took place.
79

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

80
81 c) Request for Approval of Amendment #4 for Work on Curry County Road and Right-of-Ways involving
82 RW3 Pipeline Project and Texico Lateral Pipeline Project. – Ortega
83 Mr. Ortega stated this is Amendment #4 to the Road and Right-of-Way agreement between Curry County
84 and ENMWUA. This amendment will allow the Authority to cross and work on Curry County Roads for the
85 RW3 pipeline project and the Texico Lateral pipeline project. This amendment has been developed in
86 cooperation with the Curry County Road Department and ENMWUA.
87 A motion was made for approval, and a roll call vote took place.
88

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

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90 d) Recommendation for Approval of Amendment #12 of the 2020 Engineering Services Contract with
91 Ch2M/Jacobs Engineering Requesting Adjustment to Task Orders that involve the reduction of the
92 remaining Budget for Task Order 10, Increase the Budget for Task Order 11, and Increase the Budget for
93 Task Order 19 of the ENMRWS Project Contingent Upon USBR funding Approval of the WTP Alternative 2.
94 – Ortega
95 Mr. Ortega advised this amendment involves a reduction of task order 10 in the amount of \$800,000.00.
96 An increase request for task order 11 (FW3B SDC) in the amount of \$250,000.00 and an increase of task
97 order 19 in adding scope of work for the Pilot Water Treatment Plant in the amount of \$1,211,130.00. The
98 total adjustment of all described is an increase of \$661,130.00. Mr. Ortega explained this is contingent
99 upon the approval of the USBR funding coverage of the Water Treatment Plant R/O system.
100 A motion was made for approval, and a roll call vote took place.
101

Result: Approved by Vote (5-0)

Motion:
Bryant

Second:
Lucero

Ayes: 5

Nays: 0

102
103 e) Request for Approval of Indenture by and between the State of New Mexico, Acting by and through its
104 Commissioner of Public Lands and the Eastern New Mexico Rural Water Utility Authority for a Pipeline
105 Right-of-Way Easement No. R-40702. – Ortega
106 Mr. Ortega shared this indenture is for an easement agreement with the New Mexico State Land Office
107 for the RW3 pipeline project for easement of the ENMRWS pipeline. Member Garza suggested the
108 Authority meet with the New Mexico State Land Commissioners Office to possibly get State Land parcels
109 to a reasonable cost or a waiver of payment. Administrator Ortega reported the ENMWUA will continue
110 efforts to meet with the New Mexico State Land Commissioners Office in reference to State Land parcels.
111 A motion was made for approval, 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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114 f) Request for Approval of Indenture by and between the State of New Mexico, Acting by and through its
115 Commissioner of Public Lands and the Eastern New Mexico Rural Water Utility Authority for a Pipeline
116 Right-of-Way Easement No. R-40703. – Ortega
117 Mr. Ortega stated this indenture is for an easement agreement with the New Mexico State Land Office for
118 the RW3 pipeline project for easement of the ENMRWS pipeline. Member Garza suggested the Authority
119 meet with the New Mexico State Land Commissioners Office to possibly get State Land parcels to a
120 reasonable cost or a waiver of payment. Administrator Ortega reported the ENMWUA will continue efforts
121 to meet with the New Mexico State Land Commissioners Office in reference to State Land parcels.
122 A motion was made for approval, and a roll call vote took place.

Result: Approved by Vote (5-0)

Motion:
Bryant

Second:
Garza

Ayes: 5

Nays: 0

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125 g) Request for Approval of Indenture by and between the State of New Mexico, Acting by and through its
126 Commissioner of Public Lands and the Eastern New Mexico Rural Water Utility Authority for a Pipeline
127 Right-of-Way Easement No. R-40704. – Ortega

128 Mr. Ortega reported this indenture is for an easement agreement with the New Mexico State Land Office
129 for the RW3 pipeline project for easement of the ENMRWS pipeline. Member Garza suggested the
130 Authority meet with the New Mexico State Land Commissioners Office to possibly get State Land parcels
131 to a reasonable cost or a waiver of payment. Administrator Ortega reported the ENMWUA will continue
132 efforts to meet with the New Mexico State Land Commissioners Office in reference to State Land parcels.
133 A motion was made for approval, and a roll call vote took place.

134

Result: Approved by Vote (5-0)

Motion:

Garza

Second:

Bryant

Ayes: 5

Nays: 0

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136 h) Request for Approval of Indenture by and between the State of New Mexico, Acting by and through its
137 Commissioner of Public Lands and the Eastern New Mexico Rural Water Utility Authority for a Pipeline
138 Right-of-Way Easement No. R-40705. – Ortega

139 Mr. Ortega explained this indenture is for an easement agreement with the New Mexico State Land Office
140 for the RW3 pipeline project for easement of the ENMRWS pipeline. Member Garza suggested the
141 Authority meet with the New Mexico State Land Commissioners Office to possibly get State Land parcels
142 to a reasonable cost or a waiver of payment. Administrator Ortega reported the ENMWUA will continue
143 efforts to meet with the New Mexico State Land Commissioners Office in reference to State Land parcels.
144 A motion was made for approval, and a roll call vote took place.

145

Result: Approved by Vote (5-0)

Motion:

Lucero

Second:

Carter

Ayes: 5

Nays: 0

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147 **8. Unfinished Business – N/A**

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9. Reports from Board Members and Staff

a) State Activities – Thompson

Mr. Thompson advised that Administrator Ortega as well as Chairman Morris will be attending a meeting located at the New Mexico State Engineers office on October 11, 2023, to provide an update on the project. Mr. Thompson stated he could possibly schedule a meeting in either the Governor’s Office or with AJ Forty. He shared that the team could also possibly talk with someone about the New Mexico State Land easements while in Santa Fe.

b) Federal Activities – Ryan

Absent

c) Project Development Activities – Jacobs, Jim Honea

RW3 – Mr. Honea stated Jacobs is progressing 100% design and plan to submit to NMED-DWB/NMED-CPB/ENMWUA next week.

FW3B – Mr. Honea reported Notice to proceed, and pre-mobilization provided September 20, 2023.

Texico Lateral – Mr. Honea informed the Board Members 100% permitting drawings and specifications are ready to submit with 8’ diameter just waiting for direction from ENMWUA.

RW1/RW2 – Mr. Honea reported Jacobs is progressing 60% design on both RW1 and RW2.

Elida Lateral – Mr. Honea shared design team is progressing 60% design. Jacobs is also meeting with ENMWUA to discuss detailed alignment.

Pump Stations/Tanks – Mr. Honea explained Jacobs design team is progressing 60% design. Also continuing to assess the intake screen conditions.

Water Treatment Plant – Mr. Honea stated Jacobs is responding to comments from USBR on alternatives tech memo.

Project Update – Ms. Christofferson with Jacobs Engineering provided the Board members with a project update of the ENMRWS. She presented the comparison of the 2009 schematic and 2023 current design costs. Relevant changes between 2009 and 2023 design consisted of the following:

- FW2, FW3A, FW1, and FW3B all had reduced pipe diameters.
- Melrose lateral, Grady lateral, and the Finished Water Pump Stations were eliminated from the project.
- Texico and Elida lateral reduced length.

Ms. Christofferson also presented a spotlight on the Intake Screen System. She reported Jacobs did an inspection on August 8th and 9th with Jacobs dive team, Jacobs Engineering team, Crane Services, and ENMWUA in attendance. The objective of this inspection was to evaluate the existing intake screen system, review the condition of the impressed current system, and begin to determine needed improvements for future operations.

d) Ute Reservoir USGS Report – Bowens

Currently the Ute Reservoir Storage in ac/ft as of August 29, 2023, the Reservoir was at 170,800 ac/ft and as of today September 28, 2023, was reported at 169,600 ac/ft for a loss of 1,200 ac/ft. The Ute Reservoir Water Surface Elevation in ac/ft as of August 28, 2023, was reported at 3,783.43 ft and as of today September 28, 2023, was reported at 3,783.24 ft for a loss of 2.28 inches.

194 e) Report from the Chair – Morris
195 Chairman Morris expressed that he appreciated the project update and stated that it was very
196 informative. He shared how important it is to construct this pipeline and start delivering surface water to
197 supplement our groundwater.

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199 f) Report from the Administrator – Ortega
200 Mr. Ortega reported the Authority is currently working on scheduling a few meetings in the month of
201 October. The first is with the Water Trust Board in Santa Fe, NM on October 3, 2023, and the second is a
202 Ute project update for the Office of the State Engineers on October 11, 2023, in Albuquerque, NM.
203 Chairman Morris along with ENMWUA Attorney Barnett and Administrator Ortega will be in attendance.
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205 **10. Future Agenda Items**

206 a) Next Regular Meeting, Date, Time, and Location: Thursday, October 26, 2023, at 3:00 p.m. at the
207 Portales Memorial Building, 200 E. 7th Street, Portales, NM.

208 **11. Public Input**

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

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212 **13. Adjournment**

213 Meeting adjourned officially at 4:56 pm

214 X  _____

215 Michael A. Morris
216 Chairman

X  _____

Chris Bryant
Secretary