

MEETING MINUTES

ENMWUA Regular Board Meeting

DATE: Thursday, October 26, 2023

LOCATION: Portales Memorial Building, 200 E. 7th Street, Portales NM, 88130.

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 Garza, Vice-Chair Jackson, Member Lucero, and Member Carter. ENMWUA
7 Administrator Orland Ortega and staff were present, as well as ENMWUA Attorney Kameron Barnett, Jim
8 Honea, and Wendy Christofferson with Jacobs Engineering. Members of the public that attended: Madison
9 Willis from the Eastern New Mexico News, Portales City Manager Sarah Austin, City of Portales IT Director Chris
10 Mitchell, and John Irizarry with the Bureau of Reclamation.

11

12 **3. Approval of Agenda**

13 A motion to adopt the agenda was unanimously approved.

Result: Approved by Vote (6-0)

Ayes: 6

Nays: 0

14

15 **4. Approval of Minutes**

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

Result: Approved by Vote (6-0)

Ayes: 6

Nays: 0

18

19 **5. Public Input**

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

21

22 **6. Monthly Financials**

23 a) Approval of Monthly Financials for the Month Ending September 30, 2023. – Ortega

24 Mr. Ortega reported total revenues for the month ending September 30, 2023, were in the amount of
25 \$1,642,138.43. Of that amount the Authority received revenue from State Funds for a total of \$707,158.77
26 those included disbursement requests for SAP funds for Task Orders with Jacobs Engineering. The
27 Authority has received membership contributions from the City of Clovis, City of Portales, and the Village
28 of Elida for fiscal 2024 in the amount of \$2,704,598.00. Interest earned for the month of September was
29 \$1,721.81, expenditures reported for the month of September 2023 was \$1,650,164.09. Bank account
30 balances reported as of September 30, 2023, were as follows: ENMWUA business checking account had a
31 balance of \$184,938.52, ENMWUA Money Market account had a balance of \$2,919,682.90, Capital
32 Construction account had a balance of \$272,275.67, and the ENMWUA CD had a balance of \$2,596,239.94.
33 Reported as of October 26, 2023, ENMWUA business checking account had a current balance of
34 \$89,008.33, Money Market account balance sits at \$3,182,895.91, ENMWUA CD balance is reported the
35 same at \$2,596,239.94, and Capital Construction account has a current balance of \$275,225.67. The total
36 balance of all Authority accounts as of October 26, 2023, was reported at \$6,156,970.01. A motion was
37 made for approval of the monthly financials, and a roll call vote took place.

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

38

39 b) Approval of Monthly Bank Transfer Request from Capital Construction Account #2801 to Business
40 Checking Account #7101. – Ortega

41 Mr. Ortega explained to the Board Members that these are FY2023 ENMWUA membership funds that
42 were left over from the Authority’s FY2023 Capital Construction budget. The ENMWUA would like to
43 transfer the remaining balance back to the Authority’s membership General Fund account, specifically the
44 Business Checking account.

45

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

Jackson

Ayes: 6

Nays: 0

46

47 c) Approval of Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking
48 Account #7101. – Ortega

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

51

52 **7. New Business Items**

53 a) Request for Approval of Budget Adjustment Resolution 2023-15 for ENMWUA FY2024 Budget. – Ortega

54 Mr. Ortega stated during the 2023 Legislative Session, the ENMWUA received a Capital Outlay
55 Appropriation in the amount of \$14,800,000.00. This funding is titled Special Appropriation Project SAP
56 23-H5146-HB2. The Authority is now ready to add these funds to its FY2024 budget for use on project
57 activities. Mr. Ortega reported these funds will be used on the following projects:

- 58 • A portion will be for FW1 Pipeline Construction - \$8,384,911.02.
- 59 • A portion will be for Task Order 18 involving design of Intake Pump Station, Caprock Pump Station, Elida
60 Pump Stations, and Storage Tank. - \$1,049,905.55.
- 61 • A portion will be for the development of Power to Facilities. - \$5,365,183.43.

62 Mr. Ortega further reported the ENMWUA had initially obligated WTB funds WPF-5667 toward FW1
63 construction. But because the 2023 Capital Outlay funds allow for less than 12 months to expend, the
64 administration determined it would be in the best interest of the Authority to request a Change of Scope
65 for WPF-5667 that has until December 2024 to expend and shift those funds to other projects and allow
66 the 2023 Capital Outlay to be expended at a faster pace on FW1 construction. The ENMWUA has made a
67 request to the WTB to consider allowing the Authority to change the scope of work on WTB WPF-5667
68 from FW1 to RW3, RW2, and RW1. The change of scope went before the WTB this past Tuesday and was
69 approved. A motion was made for approval and roll call vote took place.

70

Result: Approved by Vote (6-0)

Motion:
Carter

Second:
Bryant

Ayes: 6

Nays: 0

71

72 b) Request for Adoption of Resolution 2023-16 Authorizing the Execution and Delivery of a Drinking Water
73 State Revolving Loan Fund Loan Agreement (DWSRLF) assigned as DW-5860 by and between the New
74 Mexico Finance Authority and the Eastern New Mexico Water Utility Authority and joined by its Members,
75 the Municipalities of Clovis, Elida, Portales, and Texico in the Maximum Principal Amount of Thirty-Two

76 Million, Three Hundred Twenty Thousand Dollars for the Purpose of Financing the Costs of the
77 Construction of Portions of the Eastern New Mexico Rural Water System. – Ortega, Bowens, Barnett
78 Mr. Ortega advised this loan has been in the works for several months and has now reached the point of
79 presenting Resolution 2023-16 authorizing the execution of the loan agreement and signing of both the
80 resolution and the loan agreement. This action is a two-piece action. Mr. Ortega explained by approving
81 the resolution, the Authority Board agrees to the terms and conditions of the DWSRLF loan agreement.
82 Administrator Ortega then asked Support Services Officer Jacquelynn Bowens to provide further details.
83 Ms. Bowens reported the total amount of the loan is \$32,320,000.00. The total cost of issuance is
84 \$320,000.00 with a 0.25% Administration annual fee payable to the Finance Authority. The proposed loan
85 closure date is December 8, 2023, with an interim period of 36 months (3years). The project description
86 is as follows, Finance the costs of the construction of portions of the Eastern New Mexico Rural Water
87 System, including but not limited to the construction of the Raw Water Conveyance projects for Sections
88 1, 2, and 3; the Texico Lateral; the Caprock area Storage Facilities and booster pump stations and shall
89 include such other related work and revisions necessary to complete the project. Ms. Bowens stated the
90 ENMWUA has met the required state environmental review process (SERP) conditions. ENMWUA
91 Attorney Mr. Barnett then advised that he has reviewed all documents and found no issues with the loan
92 agreement. A motion was made for approval, and a roll call vote took place.
93

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

94
95 c) Annual Review/Recommendation for Approval of ENMWUA Asset Management Plan. – Bowens
96 Mr. Ortega stated this is an annual policy review and an opportunity to make any necessary adjustments
97 at this time. This policy went before the Development & Policy Committee for review, discussion, and
98 recommendation to the full Board. Mr. Ortega then asked ENMWUA Support Services Officer Jacquelynn
99 Bowens to provide further details. Ms. Bowens shared the purpose of an Asset management Plan (AMP)
100 is to enable the Eastern New Mexico Water Utility Authority (ENMWUA) to keep stock/inventory of
101 infrastructure assets, and condition of assets, and appreciation/depreciation of said assets. Ms. Bowens
102 explained this policy is important for oversight and record-keeping of all infrastructure in order to maintain
103 and expand the longevity of our assets, develop an effective and efficient operation and maintenance plan
104 and the ability to budget accordingly. It also demonstrates the ENMWUA's commitment to preserving the
105 investment of federal and state grant funds. Ms. Bowens further advised the policy has been reviewed
106 and the dates and cost estimates have been updated. The 2023 Finance Plan has been added to the Asset
107 Management Plan at this time. Incorporated the inventory of Finished Water 3A assets.
108 A motion was made for approval, and a roll call vote took place.
109

Result:	Approved by Vote (6-0)
Motion:	
Jackson	

Second:
Carter

Ayes: 6

Nays: 0

110

111

112 **8. Unfinished Business – N/A**

113

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

115

116 a) State Activities – Thompson

117 Absent

118

119 b) Federal Activities – Ryan

120 Mr. Ryan stated Congress is currently in a continuing resolution that will fund different agencies. Mr. Ryan
121 advised that the infrastructure funding is not enough to complete all projects so the Authority will need
122 to look towards the Bureau getting additional money from Congress through the regular appropriation
123 process. He informed the Board Members that the Secretary of Interior will be coming out on Monday,
124 October 30, 2023, and giving her a briefing with the opportunity to talk about funding and buy America
125 waivers.

126

127 c) Project Development Activities – Jacobs, Jim Honea, Wendy Christofferson

128 FW1 – Mr. Honea advised pipe installation is 10% complete, clearing and grubbing is 50% complete.
129 Temporary Fencing with barbed wire is 100% complete and temporary fencing with orange is 47%
130 complete.

131 RW3 – Mr. Honea stated Jacobs is waiting on stakeholder reviews.

132 FW3B – Mr. Honea reported submittals and request for information process is ongoing.

133 Texico Lateral – Mr. Honea informed the Board Members the design is currently on hold. Appraisal and
134 review appraisal process for easement agreements is ongoing.

135 RW1/RW2 – Mr. Honea reported Jacobs design team is progressing 60% design for both RW1 & RW2.

136 Elida Lateral – Mr. Honea shared Jacobs design team is progressing 60% design.

137 Pump Stations/Tanks – Mr. Honea advised the design team is progressing 60% design.

138 Water Treatment Plant – Mr. Honea stated Jacobs is revising alternatives Tech Memo based on USBR
139 comments.

140 Intake Pump Station (Spotlight) – Ms. Christofferson presented to the Board Members several 3D power
141 point slides of what the potential Intake Pump Station could look like. She explained that administrator
142 Ortega was present for the workshop that was held in Corvallis Oregon.

143

144 d) Ute Reservoir USGS Report – Bowens

145 Currently the Ute Reservoir Storage in ac/ft as of September 26, 2023, the Reservoir was at 169,900 ac/ft
146 and as of today October 26, 2023, was reported at 166,500 ac/ft for a loss of 3,400 ac/ft. The Ute Reservoir
147 Water Surface Elevation in ac/ft as of September 26, 2023, was reported at 3,783.3 ft and as of today
148 October 26, 2023, was reported at 3,782.73 ft for a loss of 6.84 inches.

149

150 e) Report from the Chair – Morris

151 Chairman Morris shared that on October 3, 2023, he traveled with Administrator Ortega and Support
152 Services Officer Jacquelynn Bowens to Santa Fe, NM to present to the Water Trust Board which the
153 Authority is applying for \$20 Million Dollars for this round of funding. He advised that they also met with
154 the State Engineer as well as the New Mexico Interstate Stream Commission Director to provide an update
155 of the project. Chairman Morris explained that the Finance Committee is seeking a meeting with the
156 leaders of Texico to talk about what their wishes are and where they stand.

157

158 f) Report from the Administrator – Ortega

159 Mr. Ortega reported that he traveled to Corvallis, Oregon on October 16, 2023, to attend a Jacobs
160 workshop and meet with the design team. He advised the Authority will be requesting approval to move
161 forward with an RFP for RW3 in the coming weeks. The ENMWUA currently is under construction with
162 FW1 and FW3B (Pre-mobilization) and are making good progress. Administrator Ortega advised the
163 Authority has had meetings with the State Engineer and the ISC Director to keep them updated and
164 informed.

165

166 **10. Future Agenda Items**

167 a) Next Regular Meeting, Date, Time, and Location: Thursday, December 21, 2023, at 3:00 p.m. at the Clovis Carver
168 Library (Ingram Room), 701 N. Main Street, Clovis NM, 88101.

169 **11. Public Input**

170


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

172

173 **13. Adjournment**

174 Meeting adjourned officially at 4:30 pm

175

X  _____

176 Michael A. Morris
177 Chairman

X

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Chris Bryant
Secretary