ENMWUA Regular Board Meeting

DATE: Thursday, January 23, 2025

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

1. Call to Order

The meeting was called to order at 3:00 pm.

2. Roll Call

Roll was called. The following ENMWUA Board Members were in attendance in-person: Chairman Morris, Secretary Bryant, Member Garza, Member Merrick, and Member Dixon. ENMWUA Vice-Chair Jim Lucero attended via Teams video/audio conference. ENMWUA Administrator Orlando Ortega and Chief Procurement Officer Jacquelynn Bowens as well as ENMWUA Attorney Kameron Barnett. Jim Honea, Wendy Christofferson, and Kent Bienlien with Jacobs Engineering. Robby Sanders with Smithco Construction and Richard Olmos with Oscar Renda Contracting. Members of the public that attended: Grant McGee from the Eastern New Mexico News.

3. Approval of Agenda

A motion to adopt the agenda was unanimously approved.

Result:	Approved by Vote (6-0)
Ayes: 6	
Nays: 0	

4. Approval of Minutes

a) The Board unanimously approved the minutes from the Regular Board Meeting held on Thursday, December 19, 2024, at 3:00 pm at the Clovis Carver Library (Ingram Room).

Result:	Approved by Vote (6-0)
Ayes: 6	
Nays: 0	

5. Public Input

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

6. Monthly Financials

<u>a) Approval of Monthly Financials for the Month Ending December 31, 2024. – Ortega</u>

Mr. Ortega reported total revenues for the month ending December 31, 2025, were in the amount of $4,238,591.54. Of that amount the Authority received revenue from USBR Grant Funds FW1 and FW3. Interest earned for the month of December 2024 was $1,764.49. Expenditures reported for the month ending December 31, 2024, were a total of $4,305,334.64. Bank account balances reported as of December 31, 2024, were as follows: ENMWUA Business Checking account had a balance of $159,740.28, ENMWUA Money Market account had a balance of $4,035,010.63, Capital Construction account had a balance of $16,023.40, ENMWUA CD #6325 had a balance of $2,734,217.64 and ENMWUA CD #6326 had a balance of $1,577,304.48. The total balance of all Authority accounts as of December 31, 2024, was reported at $9,658,910.44.

A motion was made for approval of the monthly financials, and a roll call vote took place.

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

<u>b) Approval of the Monthly Bank Transfer Request from Money Market Account #7111 to Business Checking Account #7101. – Ortega</u>

Mr. Ortega informed the Board Members at this time the Authority is requesting a monthly transfer of funds in the amount of $74,000.00.

A motion was made for approval of the monthly transfer request, and a roll call vote took place.

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

7. New Business Items

a) Presentation and Request for Approval of FY2024 Annual Audit from DeAun Willoughby CPA, PC. – Ortega, Willoughby

Mr. Ortega reported that the fiscal year 2024 audit is complete. He stated that the audit exit conference took place on December 09, 2024, with the Finance Committee present. Mr. Ortega then asked Ms. DeAun Willoughby with Willoughby & Willoughby CPA, PC to provide further details. Ms. Willoughby presented a complete audit report to the Board members and advised that the Authority had no findings.
A motion was made for approval, and a roll call vote took place.

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

b) Request for Approval of Acquisition of Real Estate Property from Robert J. Shoemaker and Maria L. Shoemaker to the ENMWUA for the Construction of the Eastern New Mexico Rural Water System Texico Lateral Pipeline. – Ortega, Barnett

One of Four tracts of land within Block 18, G Clark Smith's Second Addition in the southwest quarter (SW/4), Section 15, Township 2 North, Range 37 East (T2NR37E), City of Texico, Curry County, New Mexico Parcel No. 1 220 010 152 027 00

Mr. Ortega explained that this is a very small vacant city lot (0.363 acre) that is needed for the Texico Lateral pipeline construction that will include the installation of the pipeline, a vault, and a small building that will house water testing equipment, electrical, and scada equipment. He further stated that the property owners have accepted the offer to sell the property and have signed the purchase agreement.
A motion was made for approval, and a roll call vote took place.

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

c) Recommendation for Approval of the Annual Review and Adoption of the ENMWUA Easement Acquisition Plan. – Ortega, Bowens

Mr. Ortega shared that the Easement Acquisition Plan is brought before the Board for annual review and approval. The Easement Acquisition Plan has had a review with input from the ENMWUA Administrator, Ms. Bowens, and the Development & Policy Committee. Mr. Ortega then asked Deputy Administrator Jacquelynn Bowens to provide further details. Ms. Bowens reported the Easement Acquisition Plan was last updated in January 2024. She further explained the purpose of the Easement Acquisition Plan is to ensure transparency and consistency throughout the Easement Acquisition process. Ms. Bowens then shared the proposed changes with the Board Members.
A motion was made for approval, and a roll call vote took place.

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

8. Executive Session

a) Enter Executive Session

Motion: to move into executive session to discuss acquisition of real estate 10-15-1 H(8), NMSA 1978 of the New Mexico Open Meetings Act and attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant 10-15-1 H(7), NMSA 1978 of the New Mexico Open Meetings Act.

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

b) Exit Executive Session

Motion: to move back into open session, noting that nothing was discussed other than acquisition of real estate in accordance with Section 10-15-1 (H)(8) and matters subject to attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant in accordance with Section 10-15-1 (H)(7), NMSA 1978 of the New Mexico Open Meetings Act.

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

C) Board Action, if any, regarding the acquisition of real estate property discussed in Executive Session. – Ortega, Barnett.
Chairman Morris stated that the Board will not be taking action on the acquisition of real estate property at this time.

9. Unfinished Business

10. Reports from Board Members and Staff

a) State Activities – Thompson
Mr. Thompson shared that the Legislature began Tuesday, January 21, 2025. He stated that the requests have been submitted. Mr. Thompson advised that he is aware that some of the members of the Authority will be attending the Legislature in early February and he is looking forward to putting together a group of meetings.

b) Federal Activities – Ryan
Mr. Ryan advised that with the Administration change in Washington there is expected to be a lot of delays. Mr. Ryan stated that Senator Lujan was appointed to the Senate Finance Committee which is the committee that will handle all the tax Legislation. He reported that Senator Heinrich became the ranking member on Senate Energy Committee, which gives him the authority to hire all the staff for that committee. Mr. Ryan advised that there is no detailed analysis into how the new Administration is going to fund the fiscal year 2025, but it does have a substantial amount of money in for rural water projects.

c) Project Development Activities – Jacobs/FW1-ORC/FW3B-Simthco
FW1 – Richard Olmos with Oscar Renda Contracting reported pipe installation is 99% complete (approx. 15.3 miles). Temporary fencing is 100% complete (approx. 13.6 miles). Vaults are currently in progress and are 40% complete on CARV/BO/ISO/PRV vaults. Fiber optic conduit installation is 99% complete (approx. 15.8 miles). Restoration (Topsoil replacement) is 80% complete (approx. 12.4 miles). Kent Bienlien with Jacobs Engineering advised the substantial completion date is scheduled for May 19, 2025, with the final completion date being July 18, 2025.

FW3B – Robby Sanders with Smithco Construction stated vaults CARV1 and Elida turnout is currently under construction. Fiber optic installation is 28% complete (approx. 1.5 miles). Topsoil removal is 55% complete (approx. 3.0 miles). Temporary fencing is 55% complete (approx. 6.0 miles). Pipe installation is 38% complete (approx. 2.1 miles). Kent Bienlien with Jacobs Engineering shared the substantial completion date is scheduled for July 11, 2025, with the final completion date being August 10, 2025.

RW1A – Mr. Honea with Jacobs Engineering advised the bid documents were completed in November 2024.

RW1B – Mr. Honea reported Jacobs is targeting to have 100% permitting ready by February 2025. He stated Jacobs is targeting May 2025, to have bid documents completed.

RW2 – Mr. Honea stated Jacobs is targeting a 60% design by February 2025.

RW3 – Mr. Honea reported that pre-mobilization is likely to begin April 2025. He explained that Jacobs is continuing to coordinate submittals with Harper Brothers Construction.

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

Texico Lateral – Mr. Honea informed the Board Members that bids will be advertised Sunday, January 26, 2025.

Intake Pump Station – Mr. Honea explained Jacobs has submitted the 100% permitting design in December 2024.

Caprock Pump Station – Mr. Honea advised Jacobs has submitted the 100% permitting design in December 2024.

Water Treatment Plant

Pilot Plant – Mr. Honea stated Jacobs is waiting on quotes from two contractors through the CES. He shared that quotes have been submitted to the building department for review.

Injection Well Investigation – Mr. Honea explained that the internal quality control review of the injection well basis of design report to support permit application is being finalized. He expressed that Jacobs is currently working on starting the permit application to the State.

Elida Pump Stations – Mr. Honea advised that Jacobs is finalizing 90% design.

d) Ute Reservoir USGS Report – Bowens

Currently the Ute Reservoir Storage in ac/ft as of December 24, 2024, the Reservoir was at 190,500 ac/ft and as of today January 23, 2025, was reported at 189,500 ac/ft for a loss of 1,000 ac/ft. The Ute Reservoir Water Surface Elevation in ac/ft as of January 16, 2025, was reported at 3,786.23 ft and as of today January 23, 2025, was reported at 3,786.19 ft for a loss of 0.48 inches.

e) Report from the Chair – Morris

Chairman Morris announced that the ENMWUA Administrative Staff and your Chairman are making a lot of effort and having a great response with presentations out in the communities with the civic organizations. He reported that the presentations have taken place at the Portales Rotary Club, the Lions Club, Altrusa, and Baxter Curren Senior Center. Chairman Morris advised that he held a meeting with EPCOR, Ogallala Land and Water Conservancy, and the ENMWUA to discuss what terms of water will look like in 2035 as all agencies have the same goal which is water security.

f) Report from the Administrator – Ortega

Mr. Ortega reported that he, along with Deputy Administrator Jacquelynn Bowens as well as Grant Manager Jamie Uanino met with the representative of the Defense Communities Infrastructure Program to receive feedback on the Authority's application. Mr. Ortega informed the Board Members that the ENMWUA is continuing its efforts to provide the community with updates on the project and advised that there are more presentations scheduled. He shared that the Authority is very busy with multiple projects and all is going well.

11. Future Agenda Items

a) Next Regular Meeting, Date, Time, and Location: Thursday, February 27, 2025, at 3:00 p.m. at the Clovis Carver Library (Ingram Room) 701 N. Main Street, Clovis NM, 88101.

12. For the Good of the Order

13. Adjournment

Meeting adjourned officially at 5:05 pm

X ______________________________

Michael A. Morris
Chairman

X ______________________________

Chris Bryant
Secretary