ENMWUA
EASTERN NEW MEXICO WATER UTILITY AUTHORITY

ENMWUA Regular Board Meeting

DATE: Thursday, April 25, 2024

LOCATION: Texico Community Building, 211 N. Griffin Street, Texico NM

1. Call to Order

The meeting was called to order at 3:00

2. Roll Call

Roll was called, the following ENMWUA Board Members were in attendance in-person: Secretary Bryant, Member Garza, Chairman Morris, Member Merrick, Vice-Chairman Lucero, and Member Carter. ENMWUA Administrator Orlando Ortega and staff as well as ENMWUA Attorney Kameron Barnett, Jim Honea, and Wendy Christofferson with Jacobs Engineering. Members of the public that attended: Kim Howard, David Kube, Oran Autrey City of Texico, Deborah Autrey Mayor of Texico, Durward Dixon Mayor of Elida, Mark Huerta with EPCOR, and Richard Olmos with Oscar Renda.

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, April 25, 2024, held at Texico Community Building 211 N. Griffin Street, Texico NM.

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

5. Public Input

Chairman Morris addressed the public for any comments, David Kube property owner outside city limits in Texico NM, expressed his concerns and described the troubles he has had with his own water on his land. He stated how it would be beneficial for him if he were able to tap into ENMWUA pipelines. Mayor of Texico Deborah Autrey spoke and reiterated what Mr. Kube said. Chairman Mike Morris Informed that this has been discussed and ENMWUA was enacted by the state legislature in 2010 after the federal authorization instructing that the federal authority instructing the pipeline to convey that the surface water to non-member communities was not possible. The service water conveyance system delivers wholesale water to a single connection point to ENMWUA member communities and nothing further. Chairman Morris further provided details regarding the matter and how it would violate the rules and regulations of the grant agreement. Commissioner Oran Autrey inquired if Texico could store the remaining water if it isn't used and ENMWUA Attorney Kameron Barnett reported that the options communities have per the agreements were set in place is that no one gets to bank it. The only option that would be available would be to give it up to other communities. He continued to provide further descriptive details on the subject and what could possibly be options in the years to come. No further public input was made.

6. Monthly Financials

a) Approval of Monthly Financials for the Month Ending March 31, 2024. – Orlando Ortega

Mr. Ortega reported the statement of revenues, expenditures, and changes in fund balance total for the month ending March 31, 2024, were $6,645,920.18. Most of the funds were from Capitol Construction Costs through USBR but also with some state and local funding to accommodate. Revenues reported with interest with the total of $1,321.72. Mr. Ortega shared the expenditures were a total of $11,325,542.38. Presented were the ENMWUA finances, where the funding amounts come from and the projects that are worked on. Mr. Ortega reported further details of the remaining balances of the bank account balances and contribution to any debts. A motion was made for approval, and a roll call vote took place.

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

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

Mr. Ortega informed the Board Members at this time the Authority is requesting a $60,000 transfer of funds. 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	

7. New Business Items

a) Request for Approval of a Consent and Encroachment agreement between Eastern New Mexico Water Utility Authority and Grady Martin, LLC, a Delaware Limited Liability Company for Joint Use of Easements and Rights-of Ways in the same Vicinity of the Eastern New Mexico Rural Water System Raw Water 3 Pipeline Phase. -Ortega, Jacobs, Barnett

Mr. Ortega shared that this is an encroachment agreement with Grady Martin, LLC, a wind farm developer who has easements in some of the same areas as the Authority does for the RW3 Pipeline. ENMWUA has been working with Grady Martin for a few years to co-mingle the ENMWUA project easements and their proposed wind development easements in the same location. Grady Martin has been cooperative and involved in the development of this agreement that allows both parties to co-exist within the same area. This item did go before the Development and Policy committee on April 17, 2024. Engineering Project Manager Jim Honea has been involved in the development and he stated that mainly the RW3 Pipeline is going through the future Wind farm and although it has not been constructed yet, Grady Martin has purchased the leases and easements they will need. Members of the Board shared their concerns in what would happen if ENMWUA transmission crossed over the top of the pipeline. Mr. Ortega explained that if Grady Martin's project started first then they would have to coordinate with ENMWUA and if ENMWUA started first, we would have to coordinate with them. Also, Mr. Ortega stated that any of the wind turbines were near our pipeline to the extent that would cause any kind of harm or damage. A motion was made for approval, and a roll call vote took place.

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

b) Engineer Recommendation of award for the Eastern New Mexico Rural System Raw Water 3 (RW3) Pipeline Construction to Harper Brothers Construction, LLC. – Ortega, Jacobs

Mr. Ortega reported that after being given permission from the Board in December 2023, Chief Procurement Officer Jacquelynn Bowens published a Request for proposals on the RW3 pipeline construction phase on Sunday, December 17, 2024. Mr. Ortega explained that Jacobs Engineering completed a review of the four proposals that included the contractors bonding insurance, references, and safety record. The proposals were scored involving two volumes. Volume one being the technical and volume two being the price proposal. Jacobs Engineering Jim Honea provided further details on his findings as well as the contractors information.

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

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

c) Request for Approval Authorizing ENMWUA Administrator to Sign Notice of award for Raw Water 3 (RW3) Pipeline Construction. – Ortega

Mr. Ortega explained to the Board Members that this will give the ENMWUA's Administrator authority to sign the prepared Notice of Award letter and deliver it to the contractor via certified mail. Mr. Ortega advised that this item has also gone before the Finance Committee.

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	

d) Request for Approval of a Professional Services Agreement between the Eastern New Mexico Water Utility Authority and Blake Curtis in providing Expert Consultation with Land Restoration Initiatives on an as Needed Basis. – Ortega, Bowens

Mrs. Bowens shared that the procurement type for Professional Services was under $60,000. Contract type is one year, as needed, hourly contract rate. The contract will begin May 1, 2024. She stated that the procurement meets State Statues 13-1-125 Subsection B, internal policies, and budgetary guidelines. Mr. Ortega stated the ENMWUA has been working to improve its restoration methods in an effort to do all it

can to restore the easement areas back to their original state. He further shared that the Administration feels that Mr. Curtis can be a valuable resource toward this effort.
A motion made for approval, and a roll call vote took place.

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

<u>e) Recommendation for Approval of Financial Management Policies and Procedures. – Ortega, Bowens</u>
Mrs. Bowens explained the Financial Management policies and procedures of how it keeps ENMWUA committed to maintaining a sound organization and to maximize the use of all available resources. Mrs. Bowens provided further details on which adjustments were recommended for changes. A motion made for approval, and a roll call vote took place.

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

<u>f) Recommendations for Approval of Notice of the Right to Request Public Records and Request for Public Records Form. –Bowens, Barnett</u>
Chief Procurement Officer Jaqueline Bowens discussed the Request for Public Records is a policy to ensure ENMWUA follows State Statue 14-2-1 New Mexico Inspection of Public Records. There was nothing further to report than to recommend changes to the policy to stay the same, just to renew annually. Mr. Barnett reviewed and reported no changes needed to be made.
A motion made for approval, and a roll call vote took place.

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

Nays: 0

g) Recommendations for Approval of ENMWUA Vehicle Use Policy. -Ortega, Bowens

Mr. Ortega advised this is an annual review of the policy and procedures and request for re-adoption. He further stated the ENMWUA Administrator and Support Services Officers have reviewed and offer minor recommendations for adjustments as needed. Mr. Ortega then asked Chief Procurement Officer Jacquelynn Bowens to provide further details. Ms. Bowens reported the Authority would like to clarify that the responsibility for maintaining the ENMWUA vehicles lies with the Authority itself and not a requirement of the authorized driver.

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

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

8. Unfinished Business – N/A

9. Reports from Board Members and Staff

a) State Activities – Thompson

Mr. Thompson was not in attendance.

b) Federal Activities – Ryan

Mr. Ryan was not in attendance.

c) Project Development Activities – Jacobs, Jim Honea

FW1 – Richard Olmos with Oscar Renda informed pipe Installation is 62% complete (approx. 9.5 Miles), Clear and Grub 100% complete (15.5 miles), temp fence (Orange) 95% complete (approx. 13 miles), Vaults in progress 21% complete on CARV/BO/ISO/PRV vaults, and fiber optic conduit installation 25% complete (approx. 3.5 miles). Mr. Olmos explained the FW1 schedule update as follows: substantial completion date is 2/8/2025 and final completion date is 4/9/2025.

RW1/RW2 – Mr. Honea has reported that RW1A/RW1B are at 60% design. RW1B just finalized and data/lab testing will soon begin.

RW3 – Mr. Honea reported that construction is to start July 2024. Moving forward, continuing to work on submittals and requests for information needed.

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

Texico Lateral – Mr. Honea informed the Board Members Jacobs is progressing the 60% design has been completed and the 90% design is in progress on the pump station.

Caprock Pump Station – Mr. Honea advised Jacobs is at 90% design.

FW3B – Mr. Honea reported the 100% permitting submittal should be submitted to the new agency this week.

Intake Pump Station – Mr. Honea explained Jacobs is working on the review and updates of the basis of the design report. He stated Jacobs is also working on preliminary pump selection.

Water Treatment Plant – Mr. Honea stated Jacobs is progressing in the process. The pilot design he stated will sit at the intake facility. He also stated that the discipline design has begun and that entails electrical structure, mechanical, and process design. Light of function is at 30% design for two pump stations and the goal is to catch up with the larger pump station and get to 90% around the same time.

Welded Steel Pipe Installation – Ms. Christofferson presented a slide on the progress of the process for FW1.

d) Ute Reservoir USGS Report – Morris

Currently the Ute Reservoir Storage in ac/ft as of March 26, 2024, the Reservoir was at 159,900 ac/ft and as of today April 25, 2024, was reported at 157,300 ac/ft for a loss of 2,600 ac/ft. The Ute Reservoir Water Surface Elevation in ac/ft as of March 26,2024, was reported at 3,781.69 ft and as of today April 25, 2024, was reported at 3,781.26 ft for a loss of 5.16 inches.

e) Report from the Chair – Morris

Chairman Morris expressed his excitement of the opportunity he had with him and Mr. Ortega meeting with the American Water Works Association Rocky Mountain Section Conference as well as his gratitude to the other events he has been apart of.

f) Report from the Administrator – Ortega

Mr. Ortega reported that the Authority is working on the fiscal year 2025 budget. He advised that the Authority is currently making good progress on every phase of the project.

10. Future Agenda Items

a) Next Regular Meeting, Date, Time, and Location: Thursday, May 23, 2024, at 3:00 p.m. at the Clovis Carver Library, Ingram Room, 701 N. Main Street, Clovis NM, 88101

11. Public Input

12. For the Good of the Order

13. Adjournment

Meeting adjourned officially at 4:56 PM

X ______________________ X ______________________

Michael A. Morris
Chairman

Chris Bryant
Secretary