ENMWUA Regular Board Meeting

DATE: Thursday, July 25, 2024

LOCATION: Clovis City Hall (Assembly Room) 321 N. Conelly St, Clovis NM 88101

1. Call to Order

The meeting was called to order at 3:01 pm

2. Roll Call

Roll was called, the following ENMWUA Board Members were in attendance in-person: Chairman Morris, Secretary Bryant, Member Merrick, Member Lucero, and Member Dixon. ENMWUA Administrator Orlando Ortega and staff as well as ENMWUA Attorney Kameron Barnett, Jim Honea and Kent Bienlien with Jacobs Engineering. Joining electronically through teams: Member Garza, Mandi Aldaz with Hinkle and Landers, Joe Thompson with Thompson Consulting, and John Ryan with Capitol Consultants. Members of the public that attended: Matt Weiner with the Eastern New Mexico News, Brogan Bishop and Joel Blair with Oscar Renda Contracting, Inc.

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, June 27, 2024, at 3:00 pm at the Clovis Carver Library (Ingram Room), Clovis NM, 88101.

Result:	Approved by Vote (6-0)

Ayes: 6	
Nays: 0	

5. Public Input

Vice-Chair Lucero 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 June 30, 2024. – Ortega</u>

Mr. Ortega reported the total revenues for the month ending June 30, 2024, were in the amount of $4,646,457.24. Of that money the authority received revenue from USBR Grant Funds FW3, FW1, and overall. Interest earned for the month of June 2024, was $998.57. Expenditures reported for the month ending June 30, 2024, were a total of $11,643,640.43. Bank account Balances reported as of June 30, 2024, were as follows; ENMWUA Money Market account had a balance of $1,442,420.90, Capital Construction account had a balance of $17,463.89, and ENMWUA CD #6325 had a balance of $2,596,239.94 and ENMWUA CD #6326 had a balance of $1,537,602.74. The total balance of all authority accounts was reported at $6,986,291.12.

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

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

<u>b) Approval of 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 $220,000 Transfer of Funds. A motion was made for approval, and a roll call vote took place.

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

7. New Business Items

a) Resolution 2024-06 Adoption of the June 30, 2024, 4th Quarter Year to Date Financial Report - Ortega

Mr. Ortega explained that the 4th Quarter Year to Date Financial Report will allow ENMWUA to complete the FY2024 budget. Mr. Ortega and Mandi Aldaz from Hinkle and Landers presented a detailed reconciliation and recap bar sheet explaining the revenues as well as the authorities general and operating funds. Mandi reported the cash recon and recap current revenues to date were $2,854,599.15, interest income with CD's that increase ENMWUA income is $106,182.15, Intergovernmental Grants at a total of $20,572,679.77 and federal funds $38,120,540.71. She also explained that all balances that are recorded will match financials and corelate with each other. Mr. Ortega advised if adopted, the Authority will submit the June 30, 2024, 4th Quarter Year to Date Financial Report along with Resolution 2024-06 to the New Mexico Department of Finance and Administration for their review and approval.
A motion was made for approval, and a roll call took place.

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

b) Resolution 2024-07 Adoption of the FY2025 Final Budget - Ortega

Mr. Ortega stated that this resolution adoption approves the FY2025 final budget. He discussed each GL code in full detail and reported that the Final Budget must be submitted by July 31, 2024, to the New Mexico Department of Finance and Administration or their review and approval.
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	

c) Resolution 2024-08 Authorizing Submission of an Application for Funding to the New Mexico Water Trust Board in FY2025. -Ortega, Bowens

Mr. Ortega asked Chief Procurement Officer Jacqulynn Bowens to provide further details. Ms. Bowens reported that the resolution ratifies and affirms the governing body of the ENMWUA submission of a FY2025 WTB Application. Ms. Bowens advised the FY2025 Application is due September 16, 2024. The ENMWUA plans on submitting the following Scope of work:

1. RW2 – Design, and Construction
2. RW1 – Design, and Construction
3. Design, and Construction of the ENMRWS' Intake Pump Station, Caprock Pump Station, and Caprock Storage tank.

The WTB submission amount will be $18,700,000 – 10% Loan, 90% Grant and is at max amount within the application, stated Ms. Bowens. She reports that there is a letter of urgency for intent and will be submitted to the WTB on July 31, 2024, in the amount of $18,700,000.
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	

<u>d) Request for Adoption of the ENMWUA Board Member Contact Information Consent Form. -Ortega</u>
Mr. Ortega informed the Board Members that this form and protocol gives the ENMWUA Administration and staff a clear direction on handling Board contact information. He advised that this item has been before the ENMWUA Development & Policy Committee for discussion and recommendation.
A motion was made for approval, and a roll call vote took place.

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

8. Unfinished Business – N/A

9. Reports from Board Members and Staff

a) State Activities – Thompson

Mr. Thompson shared that he has had follow-up meetings with the Legislative Finance Committee staff after ENMWUA had the meeting with the Director and a few others. He mentioned that they wanted ENMWUA to go out as a gold standard project, meaning it would be an opportunity to get additional funding outside of the normal channels that are already available.

b) Federal Activities – Ryan

Mr. Ryan announced that he looks forward to upcoming meetings in Washington DC to discuss further opportunities for the project. He announced the meetings include several members of the congressional delegations such as Senator Heinrich, Senator Lujan, and Congresswomen Fernandez. Mr. Ryan shared that there will be meetings with the US Bureau of Reclamation, Department of Interior, and the Office of Management and Budget. He provided further details on the importance it is for ENMWUA to continue to get funded to be able to finish the project by 2031.

c) Project Development Activities – Jacobs, Jim Honea

FW1 – Oscar Renda Brogan Bishop informed that the pipe installation was 77% complete (approx. 11.8 miles), Temp Fence 95% complete (approx. 13 miles), vaults in progress 30% complete on CARV/BO/SO/PRV vaults, Fiber optic conduit installation 72% complete (approx. 11.1 miles), and restoration (topsoil replacement 30% complete (approx. 7.2 miles). Kent Bienlien with Jacobs engineering reported that FW3B weekly meeting with Smithco has started, and they have delayed their start date slightly and will be starting August 12, 2024.

RW1/RW2 – Mr. Honea reported that RW1A and RW1B Jacobs is progressing 100% design. RW2, Jacob is progressing 60% design.

RW3 – Mr. Honea announced that Jacobs has had a second meeting with Harper Brothers, and everything is moving along accordingly.

FW3B – Mr. Honea explained presented a slide that showed the construction phase next steps are to excavate the trenchless crossing pits next week and clear/grub next week.

Elida Lateral – Mr. Honea informed the board members that Jacobs is progressing with a 60% design and that Jacobs is having a small realignment at the South end that is getting additional survey data done based off similar constructability reviews that was done at an earlier stage.

Texico Lateral – Mr. Honea advised that Texico Lateral is moving forward with adjusting the 100% drawings and specifications and part of the adjustments include the connections to the EPCOR water system and Texico System so that it's there when construction begins and can be added into the plan.

Intake Pump Station – Mr. Honea stated that Jacobs is progressing to a 90% design for the intake facility.

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

Water Treatment Plant – Mr. Honea stated the pilot plant is progressing in detailed design and coordinating with the contractor on materials and construction. Mr. Honea updated Board Members on the injection progress for both pilot plant and depot injection and advised Jacobs is coordinating with State regulators on the permitting process.

d) Ute Reservoir USGS Report – Bowens

Currently the Ute Reservoir Storage in ac/ft as of June 18, 2024, the Reservoir was at 153,400 ac/ft and as of July 18, 2024, was reported at 152,800 ac/ft for a loss of -600 ac/ft. The Ute Reservoir Water Surface Elevation in ac/ft as of June 18, 2024, was reported at 3,780.64 ft and as of July 18, 2024, was reported at 3,780.53 ft for a loss of -1.32 inches.

e) Report from the Chair – Morris

Chairman Morris expressed that he is looking forward to the upcoming meetings in Washington DC and getting to meet with the State LFC Governor's office and to have a clear picture of what ENMWUA might expect from the federal government perhaps later this year. He advised that is has been a pleasure serving with everyone on the project and is very excited about what is going on.

f) Report from the Administrator – Ortega

Mr. Ortega mentioned the Authority has had three announcements of awards for 2024 from the Bureau of Reclamation for this year. The first announcement was $6,900,000 of which the amendment is complete, the second announcement was on April 26, 2024, for the amount of $20,500,000 in which has not been yet completed, and the third announcement was in June 20, 2024, for the amount of $2,600,000 that has not been completed yet but for a total of all three was $30,000,000. He reported that for the past month ENMWUA had been focused on completing the budget, the application for Water Trust Board, and making sure all invoicing is being reviewed and making sure everything gets paid.

10. Future Agenda Items

a) Next Regular Meeting, Date, Time, and Location: Thursday, August 22, 2024, at 3:00 p.m. at the Clovis Carver Library (Ingram Room), 701 N Main St, Clovis NM 88101.

11. Public Input

12. For the Good of the Order

13. Executive Session

Motion: to move into executive session to discuss acquisition of the 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 participant 10-15-1 H(7), NMSA 1978 of the New Mexico Open Meetings Act.

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

Nays: 0

Motion: to move back into open session, noting that nothing was discussed other than the 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 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	

14. Adjournment

Meeting adjourned officially at 4:51 pm

X

Michael A. Morris
Chairman

X

Chris Bryant
Secretary