ENMWUA Regular Board Meeting

DATE: Thursday, December 19, 2024

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, Vice-Chair Lucero, Member Garza, Member Merrick, and Member Dixon. 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 Latonya Johnson with Oscar Renda Contracting. Members of the public that attended: Grant McGee from the Eastern New Mexico News and Texico City Councilman Max Carter.

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, November 14, 2024, at 3:00 pm at the Elida Community Center, Elida NM.

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

a) Approval of Monthly Financials for the Month Ending November 30, 2024. – Ortega

Mr. Ortega reported total revenues for the month ending November 30, 2024, were in the amount of $6,714,622.28. Of that amount the Authority received revenue from USBR Grant Funds FW1, FW3, and Overall. Interest earned for the month of November 2024 was $1,680.42. Expenditures reported for the month ending November 30, 2024, were a total of $6,788,174.91. Bank account balances reported as of November 30, 2024, were as follows: ENMWUA Business Checking account had a balance of $160,900.08, ENMWUA Money Market account had a balance of $4,094,246.14, Capital Construction account had a balance of $16,254.23, 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 November 30, 2024, was reported at $9,719,536.58.

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: Garza	
Ayes: 6	
Nays: 0	

b) Approval of the 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 monthly transfer of funds in the amount of $61,000.00.

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: Lucero	
Second: Dixon	
Ayes: 6	
Nays: 0	

7. New Business Items

a) Request for Approval of Budget Adjustment Resolution 2024-10 for ENMWUA FY2025 Budget. – Ortega

Mr. Ortega reported that the WTB WPF-6275 Grant/Loan Agreement will be officially closed on Friday, December 13, 2024. He advised the Board Members that this funding in the amount of $20,000,000.00 will be available for use on RW1A. The Authority would like to add this funding to the FY2025 budget. 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	

b) Request for Approval of ENMRWS Raw Water 1A (RW1A) Pipeline Plans, Specifications, and Construction Bid Package. – Ortega, Jacobs, Bowens

Mr. Ortega explained that RW1A plans, and construction bid package are 100% complete and are ready to present to the Board for approval. Mr. Ortega then asked Jim Honea with Jacobs Engineering to provide further details. Mr. Honea shared RW1A design is 14 ½ miles of 42 inch well steel pipe. Mr. Honea then provided a detailed power point presentation pertaining to raw water 1A drawings and specifications. A motion was made for approval, and a roll call vote took place.

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

c) Request for Approval of the Acquisition of Real Estate Property for the Construction of the Eastern New Mexico Rural Water System Raw Water 1A Pipeline. – Ortega, Barnett

Lot Thirty-six (36) of South Shore Village, Unit 1, a subdivision within the Northeast Quarter (NE/4) of Section Twenty (20), Township Thirteen (13) North, Range Thirty-three (33) East, N.M.P.M., Quay County, New Mexico.

Parcel No. 1 194 075 435 281 00

Mr. Ortega stated that this property is directly south of the Intake Facility and along the ENMRWS pipeline alignment. It has been determined that it is in the best interest of the Authority to acquire the property for the RW1 pipeline construction. Mr. Ortega then asked ENMWUA Attorney Kameron Barnett to provide further details. Mr. Barnett informed the Board Members that a purchase agreement was prepared and mailed to the property owners for their review and signature. He explained 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	

<u>d) Recommendation/Action for Approval of Annual Contract with Thompson Consulting, LLC. – Bowens</u>
Chief Procurement Officer Jacqulynn Bowens reported that Thompson Consulting Contract is a one-year renewal contract for professional services under $60,000.00 which is allowable under State Statue, 13-1-125 subsection B. Ms. Bowens explained that there is one proposed change to this contract which is that Mr. Thompson will be required to attend a minimum of four in person Board Meetings within a calendar year unless otherwise agreed upon with the ENMWUA Administrator in writing.
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>e) Recommendation/Action for Approval of Annual Contract with Capitol Consultants, LLC. – Bowens</u>
Chief Procurement Officer Jacquelynn Bowens advised the Board Members that Capitol Consultants Contract is a one-year renewal contract for professional services under $60,000.00, which is allowable under State Statue, 13-1-125 subsection B. Ms. Bowens shared that there is one proposed change to this contract which is that Mr. Ryan will be required to attend a minimum of four in person Board Meetings within a calendar year unless otherwise agreed upon with the ENMWUA Administrator in writing.
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	

<u>f) Annual Review and Recommendation for Adoption of Resolution 2024-11 Per Diem Rates for the Travel of Public Employees and Public Officials of the ENMWUA. – Ortega, Bowens</u>

Chief Procurement Officer Jacquelynn Bowens stated that the per diem policy was last update in December of 2023. She advised that this policy ensures that the Authority and Board Members are in compliance with State Statute 10-8-1, the New Mexico per diem and mileage act. Ms. Bowens reported the only proposed change is the per diem per overnight lodging.

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

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

<u>g) Annual Review and Recommendation for Adoption of Vacation/Paid Time Off (PTO) Policy. – Ortega, Bowens</u>

Chief Procurement Officer Jacquelynn Bowens informed the Board Members that the ENMWUA vacation policy was last updated December 2023. She explained that this policy establishes a structure for vacation for the Authorities employees. Ms. Bowens reported the only recommended change is the no upfront vacation time allowed.

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	

8. Unfinished Business – N/A

9. Reports from Board Members and Staff

a) State Activities – Thompson

Mr. Thompson shared that the Legislative Session starts on the 21st of January. Mr. Thompson stated that he could schedule meetings during that time. He further stated that the deadline for submission of capital outlay for political subdivisions of the State is due December 20, 2024.

b) Federal Activities – Ryan

Mr. Ryan reported on federal activities occurring on Capitol Hill.

c) Project Development Activities – Jacobs/FW1-ORC/FW3B-Simthco

FW1 – Latonya Johnson with Oscar Renda Contracting presented the following: pipe installation is 99% complete (15.31 miles), orange fencing is 100% complete (13.64 miles), vaults in progress are 35% complete, fiber optics are 99% complete (15.82 miles), restoration is 75% (11.63 miles).

FW3B – Robby Sanders with Smithco Construction reported construction of the Elida vault has begun and are 50% complete. Fiber optic is 28% complete (1.5 miles), topsoil is 50% complete (3.0 miles), temporary fencing is 50% complete (3.0 miles), and pipe installation is 33% complete (1.8 miles). Substantial completion date is scheduled for July 11, 2025.

RW1A – Mr. Honea with Jacobs Engineering informed the Board Members that bid documents were completed in November.

RW1B – Mr. Honea advised target completion for 100% permitting is scheduled for January 2025. He further shared that the target completion for bid documents is scheduled for April 2025.

RW2 – Mr. Honea stated that 60% design is scheduled for target completion in February 2025.

RW3 – Mr. Honea reported that mobilization is scheduled for April 2025. 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 Jacobs has submitted 100% permitting in October 2024. Bid documents and bid advertisement is scheduled for January 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 reported value engineering design is ongoing. He announced that the subcontract with Wigen (UF/RO Skid Rental Company) has been finalized.

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.

Elida Pump Stations – Mr. Honea advised that Jacobs is finalizing 30% design.

d) Ute Reservoir USGS Report – Bowens

Currently the Ute Reservoir Storage in ac/ft as of November 19, 2024, the Reservoir was at 190,800 ac/ft and as of today December 19, 2024, was reported at 190,400 ac/ft for a loss of 400 ac/ft. The Ute Reservoir

Water Surface Elevation in ac/ft as of November 19, 2024, was reported at 3,786.35 ft and as of today December 19, 2024, was reported at 3,786.34 ft for a loss of 0.12 inches.

e) Report from the Chair – Morris

Chairman Morris expressed that he along with Administrator Ortega and Chief Procurement Officer Jacquelynn Bowens held a presentation at the Lions Club of Clovis last Thursday. Mr. Morris advised that there are several more upcoming presentations that he has scheduled with the Rotary Clubs, Altrusa, as well as the Economic Development organizations. Chairman Morris was excited to announce that he was asked by the Deputy Assistant Secretary of the Air Force, Robert Moriarty to meet with him and provide him with an update on the ENMWUA project.

f) Report from the Administrator – Ortega

Mr. Ortega reported the Authority held a Finished Water 3B Stakeholder Meeting in Portales where property owners who live along the alignment were invited to ask questions or share their concerns about the project. Mr. Ortega announced that the Authority has concluded the annual audit and there were no findings reported.

10. Future Agenda Items

a) Next Regular Meeting, Date, Time, and Location: Thursday, January 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

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: Dixon	
Second: Lucero	
Ayes: 6	
Nays: 0	

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: Merrick	
Second: Dixon	
Ayes: 6	
Nays: 0	

13. Adjournment

Meeting adjourned officially at 5:30 pm

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Michael A. Morris
Chairman

Chris Bryant
Secretary