

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

DRAFT Minutes—SPECIAL BOARD OF DIRECTORS MEETING

9:30 a.m. Thursday, March 27, 2014 at our La Mesa Office, 521 St. Valentine

Please Note that Minutes are in DRAFT form until approved by the Board

- I. **Call to Order, Roll Call to Establish Quorum** Sign-in sheet and agenda are attached. Directors present were Chairman Robert “Marty” Nieto (District 5), Vice-Chairman John Holguin (District 4), Director Arturo Terrazas (District 1) and Director Cali Tellez (District 3). Absent were Secretary Santos Ruiz (District 2), Director Mike McMullen (District 6), and Director Furman Smith (District 7). Staff members present were General Manager Martin Lopez and Adm Asst. Joan Ferguson. Also present was Joshua Smith, Attorney, Watson Law Office. With a quorum established the meeting was called to order by Mr. Nieto at 9:32.
- II. **Pledge of Allegiance**
- III. **Approval of Agenda** Mr. Holguin moved to approve the agenda. Mr. Tellez seconded the motion and it passed 4–0.
- IV. **Resolution Number 2014-14 Authorizing Application to NMFA for Refunding—for adoption** Mr. Holguin made a motion to adopt Resolution Number 2014-14 Authorizing Application to NMFA for Refunding. Mr. Tellez seconded the motion and it passed 4–0.
- V. **Motion to convene in Closed Session pursuant to NMSA 1978 Section 10-15-1(H)(7) threatened or pending litigation—ROLL CALL VOTE** Mr. Holguin made a motion to convene in Closed Session pursuant to NMSA 1978 Section 10-15-1(H)(7) threatened or pending litigation and Mr. Tellez seconded the motion. The roll call was as follows: Chairman Robert “Marty” Nieto (District 5), Vice-Chairman John Holguin (District 4), Director Arturo Terrazas (District 1) and Director Cali Tellez (District 3). The motion to close the session passed 4–0.
 - A. **Statement by the Chair that only the items listed in the agenda were discussed and no action was taken in Closed Session and Motion to reconvene in Open Session** Mr. Nieto stated that the only items discussed were pending or threatened litigation. Mr. Holguin moved to open the session, Mr. Tellez seconded the motion and it passed 4–0. The session was reconvened at 10:03.
 - B. **Action, if any, related to the threatened or pending litigation** A motion was made by Mr. Tellez to authorize LRGPWWA Attorney to send a letter to Colonias Infrastructure Trust Board pertaining to Mr. Orlando Jimenez and copy Mr. Jimenez. The motion was seconded by Mr. Holguin and it passed 4–0.
- VI. **Adjourn** Mr. Holguin made a motion to adjourn the meeting. Mr. Tellez seconded the motion and it passed 4–0. The meeting was adjourned at 10:04.

Minutes signed April 16, 2014

Roberto Nieto, Chairman (District 5)

John Holguin, Vice-Chairman (District 4)

ABSENT

Santos Ruiz, Secretary (District 2)

Arturo Terrazas, Director (District 1)

Carlos Tellez, Director (District 3)

ABSENT

Michael McMullen, Director (District 6)

ABSENT

Furman Smith, Director (District 7)

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY

Meeting Notice & Agenda—SPECIAL BOARD OF DIRECTORS MEETING

9:30 a.m. Thursday, March 27, 2014 at our La Mesa Office, 521 St. Valentine

Agendas are final 72 hours prior to the meeting and may be obtained at any LRGPWWA Office—call 575-233-5742 for information

- I. Call to Order, Roll Call to Establish Quorum
- II. Pledge of Allegiance
- III. Approval of Agenda
- IV. Resolution Number 2014-14 Authorizing Application to NMFA for Refunding
- V. Motion to convene in Closed Session pursuant to NMSA 1978 Section 10-15-1(H)(7) threatened or pending litigation—ROLL CALL VOTE
 - A. Statement by the Chair that only the items listed in the agenda were discussed and no action was taken in Closed Session and Motion to reconvene in Open Session
 - B. Action, if any, related to the threatened or pending litigation
- VI. Adjourn

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aide or service to attend or participate in the hearing or meeting, please contact the LRGPWWA office at 575-233-5742, PO Box 2646, Anthony NM 88021 OR 215 Bryant St., Mesquite NM at least one week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the LRGPWWA office if a summary or other type of accessible format is needed.

Si es un individuo con una incapacidad esta en necesidad de un lector, amplificador, lenguaje por senas, o cualquier otra forma de asistencia o servicio para atender o participar en las juntas, por favor llame a la oficina LRGPWWA, 575-233-5742, PO Box 2646, Anthony NM 88021 O 215 Bryant St., Mesquite NM una semana antes de la junta o en cuanto posible. Documentos públicos, incluyendo la agenda y minutos, están disponibles en varios formatos. Por favor opóngase en contacto con la oficina LRGPWWA si un resumen o otro tipo de forma accesible es necesario.

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
RESOLUTION NO. FY2014-14**

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION
FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE
NEW MEXICO FINANCE AUTHORITY.

WHEREAS, the Lower Rio Grande Public Water Works Authority ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the Board of Directors ("Governing Body") is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority ("Authority") has instituted a program for financing of projects from the public project revolving fund created under the Act and has developed an application procedure whereby the Governing Body may submit an application ("Application") for financial assistance from the Authority for public projects; and

WHEREAS, the Governing Body intends to undertake acquisition, construction and improvement of Refunding ("Project") for the benefit of the Governmental unit and its citizens; and

WHEREAS, the application prescribed by the Authority has been completed and submitted to the Governing Body and this resolution approving submission of the completed Application to the Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY:

Section 1. That all action (not consistent with the provision hereof) heretofore taken by the Governing body and the officers and employees thereof directed toward the Application and the Project, be and the same is hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body, be and the same is hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Authority for its review, and are further authorized to take such other action as may be requested by the Authority in its consideration and review of the Application and to further proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this resolution are hereby rescinded, annulled and repealed.

Section 5. This resolution shall take effect immediately upon its adoption.

PASSES APPROVED AND ADOPTED this 27th day of March, 2014

GOVERNING BODY

By _____
Authorized Officer
Roberto Nieto, Board Chairman

(Seal)

ATTEST:

Authorized Officer
Santos Ruiz, Board Secretary