

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
MEETING NOTICE & AGENDA
REGULAR BOARD OF DIRECTORS MEETING
6:30 p.m. Wednesday, December 1, 2010 at Vado Office, 325 Holguin Road

- I. Sign in, establish quorum, call to order
- II. Approval of agenda
- III. Approval of Minutes of 11/17/10
- IV. General Manager's action items & reports (Finance Report on 3rd Wed. Agenda)
 - A. Management Report
 - B. Operations Report
 - C. Projects Report (may include brief presentation by Jose Terrones, Molzen Corbin)
- V. Guest Presentations –Brad Beasley, Beasley & Mitchell Co.
- VI. Public Input – 15 minutes total allotted for this item, 3 minute time limit per person, may be continued after Item VIII by board action:
- VII. Unfinished Business:
 - A. Motion to go into closed session pursuant to NMSA 1978 10-15-1 (H)(2) – Discussion of hiring of the General Manager – ROLL CALL VOTE
 - B. Motion to resume the Open Meeting, statement by the Chairman that the matters discussed in the closed session were limited to those stated in the motion to the close.
 - C. GM Employment Contract & GM Job Description – for adoption
 - D. Adoption of 40-Year Water Plan & Water Conservation Plan
 - E. PER – surface water plant – final draft
- VIII. New Business:
 - A. Proposed Amendment to OMA Resolution re: 1st Wed. – change time or eliminate
 - B. Desert Sands mapping update proposal – for approval
 - C. Proposed contract from Southwestern Wireless – authorize GM to finalize and sign
 - D. Request transfer of founding entity NMFA Planning Grants to Authority
- IX. Other discussion and agenda items for next meeting – Next meeting 12/15/10 at 10 a.m. or?
- X. 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 LRG PWWA office at 575-233-3947, 325 Holguin Rd, Vado NM 88072 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 lame ha la oficina LRG PWWA office at 575-233-3947, 325 Holguin Rd, Vado NM 88072 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
BOARD OF DIRECTORS
REGULAR MEETING MINUTES
10:00 a.m. Wednesday, November 17, 2010
VADO MDWCA OFFICE, 325 HOLGUIN RD VADO, NM 88072

I. Call meeting to order; Proof of quorum

Chairman Roberto M. Nieto call meeting to order at 10:16am. Proof of quorum established with board of directors present as follows: Roberto M. Nieto, Santos Ruiz, Jim Pugh and Rosaura Pargas. Absent: John Holguin

II. Approval of agenda

Santos Ruiz motions to approve agenda as is Rosaura Pargas seconds, motion carried, none opposed 4-0.

III. Approval of Minutes of 11/3/10

Jim Pugh motions to approve November 3, 2010 minutes, Santos Ruiz seconds, motion carried none opposed, 4-0. Abstained: Rosaura Pargas

IV. General Manager's action items & reports - Insurance, assets transfers, Income & Expense

Report, Allocation of Reserves, O&M report, update on vehicle purchases

Martin G. Lopez reported that all vehicle, equipment insurance have been transferred to Leavitt group a payment plan has been set up for the general liability,

Kathi Jackson reported income & expense please see attachment.

Allocation & Reserve was reported that not all the money has been set in one account.

Michael Lopez reported the O&M please see attachment.

Martin G. Lopez reported that 2 Ford Focus vehicles were purchased in Albuquerque with the approval that was given from the board.

V. Guest Presentations – None

VI. Public Input – 15 minutes total allotted for this item, 3 minute time limit per person, may be continued after Item VIII by board action: None

VII. Unfinished Business:

A. Water Rights combine & comingle application – for approval

At this time the information has not been provided from attorney, Beverly Singleman.

B. LRG MDWA current projects – report

Project on Castillo Rd. is 60%, changes on the addendum for the La Mesa building have been made.56:40

C. Adoption of 40-Year Water Plan & Water Conservation Plan

Edits have been made, Karen Perez not present to show plan. 58:41

D. Engineers' Project Reports

Procurement projects taken were sent for re-bid the La Mesa building was set for bid on 11/23/10 now changed to 12/2/10.

E. GM Employment Contract & GM Job Description – for adoption

Attorney, Beverly Singleman, is working on employee agreement.

- F. Job descriptions & pay scales - implementation by GM – update
Hilario, from La Mesa accepted the job position as Fleet Maintenance Tech. 104:10

 - G. Employee Handbook – **postpone**
Employee handbooks from RCAC, EBID were used as examples to create handbook and
Have ready for the next board meeting. 106:10

 - H. Policy Manual – **postpone** 107:05

 - I. Election Policy – pending information from county – postpone 108:13

 - J. District Boundaries – pending info from mutuals & mapping – postpone 110:15

 - K. Amended Engineering Agreements/Molzen, Gannet & Vencor – USDA Concurrence
111:00- Waiting on approval for Molzen & Vencor. Gannet has been approved.

 - L. Mutual Aid Agreement w/EBID – for approval 112:40
Jim Pugh motions to approve mutual aid agreement with EBID, Santos Ruiz seconds,
motion carried, none opposed 4-0.

 - M. Alliance – report 113:16

 - N. Funding applications - NMFA, RD, CDBG, BECC/NADB updates 123:05
Martin Lopez reported that the RD loans will be able to be refinanced, waiting on CDBG,
BECC/NADB no updates at this time.
- VIII. **New Business:**
- A. Brazito MDWCA Emergency Interconnect 129 :43
Jim Pugh motions to incorporate plans with Brazito MDWCA, Santos Ruiz seconds,
motion carried, none opposed 4-0.
 - B. MOU w/Doña Ana County re: Solid Waste Disposal Coupons – for approval
Jim Pugh motions to provide MOU with Dona Ana County re: solid waste disposal
coupons with a .50cent cash only transaction per coupon, Rosaura Pargas seconds,
motion carried, none opposed 4-0.
- IX. Other discussion and agenda items for next meeting – Next meeting 12/1/10 at 10 a.m.
- X. **Adjourn**
Motion to adjourn made by Rosaura Pargas and second by Santos Ruiz at 12:13pm.
Minutes of November 17, 2010 to be approved by Board of Directors, December 1, 2010.

Date minutes approved: _____

Chairman, Roberto M. Nieto

Vice-Chairman, John Holguin

Secretary, Santo Ruiz

Director, Rosaura Pargas

Director, Jim Pugh

**Lower Rio Grande Public Water works Authority
Resolution Number 2010-07-01**

WHEREAS, the Lower Rio Grande Public Water Works Authority Board of Directors met in regular session at the Vado MDWCA office, 325 Holguin Road, Vado New Mexico on Wednesday, July 7, 2010 at 6:30 p.m. as required by law; and

WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Lower Rio Grande Public Water Works Authority Board of Directors to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFOR, BE IT RESOLVED by the Lower Rio Grande Public Water Works Authority Board of Directors that:

1. All meetings shall be held at the office of Vado Mutual Domestic Water Consumers Association located at 325 Holguin Road, Vado New Mexico or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the first Wednesday at 6:30 p.m. **{PROPOSAL #1 ELIMINATE THE 1ST WED. MEETING}** **{PROPOSAL #2 CHANGE TIME TO 4:30 P.M.}** and the third Wednesday at 10:00 a.m. The agenda will be available at least twenty-four hours prior to the meeting from the office of each founding entity. Notice of any other regular meetings will be given ten (10) days in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the President or a majority of the Directors upon three (3) days notice. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least twenty-four hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances which demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The Lower Rio Grande Public Water Works Authority Board of Directors will avoid emergency meetings whenever possible. Emergency meetings may be called by the President or a majority of the Directors upon twenty-four (24) hours' notice, unless threat of personal injury or property damage require less notice. The notice for all emergency meetings shall include an agenda for the meeting or information on how the public may obtain a copy of the agenda.

5. For the purposes of regular meetings described in paragraph 2 of this resolution, notice requirements are met if notice of the date, time, and location is placed in the customer lobby of the office of each founding entities. Copies of the written notice shall also be mailed to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation which have made a written request for notice of public meetings.

6. For the purposes of special meetings and emergency meetings described in paragraph 3 and 4 of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by telephone to newspapers of general circulation in the state and posted in the offices of the founding entities. Telephone notice also shall be given to those broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made a written request for notice of public meetings.

7. In addition to the information specified above, all notices shall include the following language:

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 Mesquite MDWC & MSWA office at 505-233-3947, P.O. Box 349, Mesquite, NM 88048, or in person at 215 Bryant, 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 Mesquite MDWC & MSWA office if a summary or other type of accessible format is needed.

8. The Lower Rio Grande Public Water Works Authority Board of Directors may close a meeting to the public only if the subject matter of such discussion or action is excepted from the open meeting requirements under Section 10-15-1(H) of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Lower Rio Grande Public Water Works Authority Board of Directors taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable

specificity in the motion to close and the vote of each individual Director on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.

(b) If the decision to hold a closed meeting is made when the Lower Rio Grande Public Water Works Authority Board of Directors is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the Directors and to the general public.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the Lower Rio Grande Public Water Works Authority Board of Directors in an open public meeting.

Passed by the Lower Rio Grande Public Water Works Authority Board of Directors this 7th day of July, 2010. **AMENDED THIS 1ST DAY OF DECEMBER 2010**

Robert Nieto, Chairman – representing Mesquite MDWC & MSWA

Tiffany Romero-Vega, Vice-president – representing La Mesa MDWCA
Jim Pugh, Director – 12/1/10 amendment

Karen Nichols, Secretary/Treasurer – representing Desert Sands MDWCA
Rosaura Pargas, Director – 12/1/10 amendment

Bobbie Boyer, Director – representing Vado MDWCA
John Holguin, Vice-chairman – 12/1/10 amendment

Santos Ruiz, Director – representing Berino MDWC & MSWA
Secretary – 12/1/10 amendment

**Lower Rio Grande Public Water Works Authority
Board of Directors Meetings 2010-11
Junta de la Mesa Directiva 2010-11**

The Lower Rio Grande PWWA Board will meet the **first Wednesday of each month at 6:30 p.m.** and **the third Wednesday at 10:00 a.m. at the Vado MDWCA Office, 325 Holguin Road, Vado, New Mexico.** Agendas will be available at the office twenty-four hours prior to the meeting at each Member Association office.

La Mesa Directiva de Lower Rio Grande PWWA tendrán su junta el primer miércoles de cada mes a las 6:30 p.m. y tercer miércoles a las 10:00 a.m. en la oficina de Vado MDWCA, 325 Holguin Road, Vado, New Mexico. Agendas serán disponibles en la oficina veinticuatro horas antes de la junta.

Regular meetings are scheduled for the following dates:
El horario del las juntas regulares son las siguientes:

6:30 p.m. July 7, 2010	6:30 p.m. 7 de Julio 2010
10:00 a.m. July 21, 2010	10:00 a.m. 21 de Julio 2010
6:30 p.m. August 4, 2010	6:30 p.m. 4 de Agosto 2010
10:00 a.m. August 18, 2010	10:00 a.m. 18 de Agosto 2010
6:30 p.m. September 1, 2010	6:30 p.m. 1 de Septiembre 2010
10:00 a.m. September 15, 2010	10:00 a.m. 15 de Septiembre 2010
6:30 p.m. October 6, 2010	6:30 p.m. 6 de Octubre 2010
10:00 a.m. October 20, 2010	10:00 a.m. 20 de Octubre 2010
6:30 p.m. November 3, 2010	6:30 p.m. 3 de Noviembre 2010
10:00 a.m. November 17, 2010	10:00 a.m. 17 de Noviembre 2010
6:30 p.m. December 1, 2010	6:30 p.m. 1 de Diciembre 2010
10:00 a.m. December 15, 2010	10:00 a.m. 15 de Diciembre 2010
6:30 p.m. January 5, 2011	6:30 p.m. 5 de Enero 2011
10:00 a.m. January 19, 2011	10:00 a.m. 19 de Enero 2011
6:30 p.m. February 2 2011	6:30 p.m. 2 de Febrero 2011
10:00 a.m. February 16 2011	10:00 a.m. 16 de Febrero 2011
6:30 p.m. March 2, 2011	6:30 p.m. 2 de Marzo 2011
10:00 a.m. March 16, 2011	10:00 a.m. 16 de Marzo 2011
6:30 p.m. April 6, 2011	6:30 p.m. 6 de Abril 2011
10:00 a.m. April 20, 2011	10:00 a.m. 20 de Abril 2011
6:30 p.m. May 4, 2011	6:30 p.m. 4 de Mayo 2011
10:00 a.m. May 18, 2011	10:00 a.m. 18 de Mayo 2011
6:30 p.m. June 1, 2011	6:30 p.m. 1 de Junio 2011
10:00 a.m. June 15, 2011	10:00 a.m. 15 de Junio 2011

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 Mesquite MDWC & MSWA office at 505-233-3947 P.O. Box 349, Mesquite, NM 88048, or in person at 215 Bryant, 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 Mesquite MDWC & MSWA 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 lame ha la oficina Mesquite MDWC & MSWA office at 505-233-3947 P.O. Box 349, Mesquite, NM 88048, o en persona 215 Bryant, 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 Mesquite MDWC & MSWA si un resumen o otro tipo de forma accesible es necesario.

**LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
12/1/10 BOARD OF DIRECTORS MEETING
PROJECTS REPORT**

Authority Construction Oversight Projects:

USDA Concurrence for Molzen Corbin (La Mesa Water System Improvements) & Vencor (Berino Water System Improvements) amended Engineering Agreements was received on 11/19/10, Gannet Fleming (Mesquite Wastewater) had received prior authorization.

Mesquite Wastewater Project – from Jody Garcia at Gannet Fleming:

“The Mesquite Wastewater Project is nearing the completion of the design phase. The plans have been submitted to the NMDOT and Dona Ana County for the right-of-way permits. This is the second submittal to these agencies addressing comments made after our initial submittal. Once the permits are secured, the attorney will provide the right-of-way certification and we will be able to advertise the project.”

La Mesa Water System Improvements – meeting w/Mr. Terrones on Thursday to go over LOC, updated items needed from Authority & review preliminary plans

Authority PERs/EAs/40 Yr. Water Plan: Meeting on 12/7 with Vencor and LRG staff to discuss scoping, will bring recommendation back to the board. Also see CE&M update.

Berino & Mesquite/Del Cerro combined PER –update from Vencor:

“On Wednesday, November 24th, a final combined Berino – Del Cerro PER/EA report package was submitted to George Scott, P.E. of USDA/RD in Albuquerque. A courtesy copy of the same final submittal was also provided to Sandra Alarcon, Loan Specialist with USDA/RD in Las Cruces. The final combined submittal addressed all USDA comments received in August 2010 plus also included a cover letter package summarizing the events leading up to the final combined submittal.”

Pre-Final Design: Del Cerro – Phase IV Water: update from Vencor

“The VENCOR Design Team is quickly approaching a 90% Design level on this project. With the County recently paving roads that were not paved in our initial design, we have had to re-design a number of proposed water lines to fit and work within the limits of the new asphalt pavement. Also, to support the new water line design, VENCOR has retained the services of AT Analytical, LLC, a Geotechnical Engineering company in El Paso, to perform the necessary geotechnical soils investigation and develop a Project Soils Report. Soils testing (via vertical bore tests) will likely begin within the Del Cerro area in mid-December. Lastly, 250 project water line easements have been recorded with Dona Ana County as of November 22, 2010. The sole remaining water line easement is likely to sign within the next couple of weeks.”

Preliminary Design: Berino – Phase I Water - update from Vencor:

“The VENCOR Design Team has achieved a 60% Design level on this project. Our challenges again involved the County with the ongoing Berino Road reconstruction project and its direct impact to the project’s design. All project survey data and existing utility locates have been

achieved and recorded on the project plan sheets. Coordination with BNSF Railroad has been initiated as a proposed Authority 12" transmission line will be crossing the tracks via a 200' bore (east to west) at Harding and NM 478. As BNSF requires a Project Soils Report as part of their permit approval, VENCOR again retained the services of AT Analytical, LLC to perform the necessary soils investigation and develop a Project Soils Report. As this project requires the installation of a 200,000 gallon blending tank at the Berino Water office site, a soil bore test will be required at the approximate location of the new tank. Soils testing will likely begin within the Berino area in mid-December. Lastly, one project water line easements (from Stern Drive to the Hernandez Grocery Store) was recorded with Dona Ana County in June of 2010."

Final Design: 12" Waterline from Stern Drive to Vargas Road – update from Vencor
"The VENCOR Design Team has completed 100% Design level on this project. Both NMED Construction Programs Bureau (Las Cruces) and Drinking Water Bureau (Albuquerque) have approved the project design and specifications. A review copy of the approved plans will be provided to the County for their review and approval at the end of this week (12/03/10). VENCOR will adjust the final plans & specifications to match available funding recovered from other Authority projects prior to letting the project for public bidding, possibly in late December 2010."

LRG MDWA Projects:

Phase II Interconnect La Mesa/Mesquite – see update from CE&M

La Mesa Building (jointly funded by La Mesa & LGRMDWA) – see 12/1/10 Update from Molzen Corbin – discussed terminal blocks & cable drops for internet service, wiring for internet, phones, & alarm system w/engineer.

Individual MDWCA Projects under construction:

Desert Sands Phase II-III Water System Improvements

Project is complete, contract is being held open to obtain price from the contractor (Highland) for construction of a sludge drying bed and loading media at Well #3.

Desert Sands/NMSU Well #3 Arsenic Plant conversion

Subcontract w/NMSU has been extended to 6/30/10. Remaining Desert Sands RD funds & NMSU state funds should easily cover getting the treatment plant modified, filled with media and operating.

Mesquite Water Project – from Jody Garcia at Gannet Fleming:

"The Mesquite Water Project is nearing completion of the construction phase. We are waiting for a revised proposal from the contractor for a change order to finalize the SCADA programming according to the new operational scenario discussed with the operators. The change order will be incorporated into the final adjusting change order, and the project will be closed out."

La Mesa New Administration Bldg. Update 12/1/10 - Jose Terrones, Molzen Corbin

A. Introduction

- a. Provide La Mesa MDWCA with an office for daily operations.

B. Project Scope

- a. Building use: Business Office
- b. Occupancy Classification: Business Group B
- c. Actual Floor Area – Gross 1,993 SF, Net 1,755 SF

C. Project Schedule

- a. Molzen Corbin
 - i. Bid Phase: 10/24/2010 – 12/03/2010
 1. Bid opening is scheduled for Friday, December 03, 2010 at 2:00pm at the La Mesa MDWCA office.
 - ii. Review Bid and Award Contract: 12/03/10 – 12/31/2010
- b. Contractor
 - i. Start Construction: 02/01/2011
 - ii. Substantial Completion: 02/01/2011 – 07/01/2011 (150 Calendar Days)
 - iii. Final Completion: 07/01/2011 – 07/31/2011 (30 Calendar Days)

D. Project Budget

- a. NMED Grant
 - i. SAP-08-3099-STB for \$215,000.00.
 1. Architecture \$49,000.00.
 2. Property Survey \$825.00.
 3. Construction Observation \$14,354.87.
 4. Construction Management \$23,662.00.
 5. Tax \$16,000.00.
 6. Permits \$350.00.
 7. Contingencies \$10,750.00.
 8. Construction \$100,058.13.
- b. Colonias Initiative
 - i. 09-3118 No. 12 for 400,000.
 1. Construction?

E. Construction Cost

- a. Probable Construction Cost Estimate \$405,670.00



November 29, 2010
Update on Authority Projects

40-Year Water Plan

We have incorporated the comments provided and added the Vado water rights to those accounted for in the Plan. We have also updated/corrected the Water Conservation Plan to match the 40-Year Plan. We are in the process of printing and binding for delivery on November 30, 2010.

Preliminary Engineering Report

We have incorporated not only the changes from the 40-Year Water Plan, but also those presented in the recently completed Merger Plan. These affect the financial portion of the report, including financial projections for the first year of operations.

The Recommended Alternative for the surface water plant includes diversion from the Three Saints Lateral for six months of the year (irrigation season) and lease of the surface water rights from EBID. The technology for the plant, since EBID will allow us to use an infiltration gallery (pipes under the lateral) to divert water, will be similar to the plant used by Desert Sands. This will reduce turbidity, iron and manganese, and has the ability to remove arsenic if we want to convert it to groundwater use in the off-season. The budget for the surface water plant, including project costs (engineering, etc.), is approximately \$2.7 million. This report is also in the process of printing and binding and should be delivered with the 40-Year Plan on November 30, 2010.

Castillo Road Interconnect

This is the final phase of the interconnect between Mesquite and La Mesa. Burn Construction was the successful low bidder. They started construction in early November and have completed the bore across NM192 and are proceeding on Castillo Road. There have been some problems with bad soils and some conflicts with Qwest phone lines, but the construction is proceeding according to schedule. The bridge portion is scheduled for the last part of the project, since the levee work is still not complete. This keeps traffic conflicts to a minimum and is safer for the public and the contractor

LOWER RIO GRANDE PUBLIC WATER WORKS AUTHORITY
MINUTES
REGULAR BOARD OF DIRECTORS MEETING
6:30 p.m. Wednesday, December 1, 2010 at Vado Office, 325 Holguin Road

- I. Sign in, establish quorum, call to order:** Sign-in sheet and agenda are attached. Directors present: Chairman Roberto “Marty” Nieto (Mesquite), Vice-chairman John Holguin (Vado), Secretary Santos Ruiz (Berino), Director Rosaura Pargas (Desert Sands), and Director Jim Pugh (La Mesa). Directors Absent: none. Staff present: General Manager Martin Lopez, Projects Manager Karen Nichols. Also present: Jose Terrones (Molzen Corbin), Jose Luis Arellano (member), Brad Beasley & Lisa Avilucea (Beasley & Mitchell). With a quorum established, Mr. Nieto called the meeting to order at 6:32 pm . :26
- II. Approval of agenda:** Mr. Lopez suggested that the Board postpone items VII D. & E. because they are not ready. Ms. Pargas made a motion to approve the agenda with those items postponed, Mr. Ruiz seconded, and it carried on a vote of 5-0. 1:35
- III. Approval of Minutes of 11/17/10:** Mr. Pugh made a motion to approve the minutes (attached), Mr. Ruiz seconded, and it carried on a vote of 5-0. 2:32
- IV. General Manager’s action items & reports (Finance Report on 3rd Wed. Agenda)**
- A. Management Report:** Mr. Lopez reviewed the Manager’s Report (attached) and status of the tasks listed. 13:02
- B. Operations Report:** Mr. Lopez said we will move this to second meeting this month because Operations Manager Mike Lopez is out of town at a training. 13:02
- C. Projects Report (may include brief presentation by Jose Terrones, Molzen Corbin):** Ms. Nichols reviewed the attached report. Mr. Terrones discussed the La Mesa projects. Mr. Lopez noted that he will be opening the construction accounts for the projects that are about ready to bid. 32:40
- V. Guest Presentations –Brad Beasley, Beasley & Mitchell & Co.:** Mr. Beasley introduced himself and Ms. Avilucea. He said his firm is starting to work on Authority financial statements from 9/30/10 forward. He said they are also working with staff on the IRS issues, payroll and accounting policies, segregation of duties, tracking assets, etc. He said he was pleased to see the proposed contract with Southwestern Wireless on the agenda and confirmed the need for and intranet and consolidated systems between the five offices. He also said that his firm provides an online backup system for Quickbooks. He emphasized that his firm was always willing to meet with the Board when requested. 45:02
- VI. Public Input – 15 minutes total allotted for this item, 3 minute time limit per person, may be continued after Item VIII by board action:** Mr. Arellano, a member and former Director of Desert Sands MDWCA, said he came to meet the board and ask three questions. The Directors introduced themselves. Mr. Arellano asked who sets the water rights fees. Mr. Lopez replied that the Board adopts rates and policies and explained why a water rights fee is needed to cover the cost of about 1/3 acre foot of water rights per residential connection. Ms. Nichols added that Desert Sands did not yet have this fee because it was only pumping about half its declared water

rights, but it would have eventually had to implement a water rights fee as it used all the declared rights or had them reduced by the NM-OSE. Mr. Arellano asked the owner of a trailer park with 10 connections would be required to pay the fee ten times, and Mr. Lopez replied in the affirmative, but say in that case, the best bet might be to apply as commercial account, and those are taken on an individual basis depending on their requirements and anticipated usage. Mr. Arellano asked if there was a policy for handling filtered water re-sellers, like the vending machines at some of the small grocery stores. Mr. Lopez said that is something we need to review and discuss with NMED to see if there is a way to handle those installations that addresses potential contamination if the filters are not maintained and the fact that they are re-selling our water. 1:03:09

VII. Unfinished Business:

- A. Motion to go into closed session pursuant to NMSA 1978 10-15-1 (H)(2) – Discussion of hiring of the General Manager** – Mr. Holguin made the motion as stated in the agenda, Mr. Ruiz seconded. Ms. Pargas voted yes, Mr. Holguin yes, Mr. Ruiz yes, Mr. Pugh yes, and Mr. Nieto yes. On a vote of 5-0, the motion carried and the board went into closed session at 7:37 p.m. Staff and guests left the room. 1:04:21
- B. Motion to resume the Open Meeting, statement by the Chairman that the matters discussed in the closed session were limited to those stated in the motion to the close:** Mr. Holguin made a motion to resume the open meeting, Ms. Pargas seconded, and Mr. Pugh voted yes, Mr. Ruiz yes, Mr. Holguin yes, Ms. Pargas yes, and Mr. Nieto yes. On a vote of 5-0, the motion carried. Mr. Nieto stated that the matters discussed in the closed session were limited to those stated in the motion to close. The open meeting was resumed at 8:10 p.m.
- C. GM Employment Contract & GM Job Description – for adoption:** Mr. Nieto informed Mr. Lopez that the board was prepared to offer him a salary of \$72,000 per year with an annual bonus and an evaluation of goals & objectives. Mr. Lopez asked about the length of the contract. There was some discussion, and Mr. Holguin made a motion to authorize the employment contract as described with Mr. Lopez for a period of 3 years, Ms. Pargas seconded, and it carried on a vote of 5-0. Mr. Pugh stated his objection to having Ms. Nichols take Board meeting minutes because it is a clerk job. Mr. Lopez explained that minutes are important not only for Open Meetings Act compliance, but they are scrutinized by auditors as well. He said that he had reassigned the job back to Ms. Nichols until we can get someone else trained for the job. Mr. Pugh restated his objection. 1:08:11
- D. Adoption of 40-Year Water Plan & Water Conservation Plan: POSTPONED**
- E. PER – surface water plant – final draft: POSTPONED**

VIII. New Business:

- A. Proposed Amendment to OMA Resolution re: 1st Wed. – change time or eliminate:** Mr. Holguin said he was going to have to leave, but wanted to comment that the Board should keep meeting twice a month through January and consider changing to a single monthly meeting in February. Mr. Holguin made a motion to change the time of the first

Wednesday monthly meeting from 6:30 p.m. to 4:00 p.m. Mr. Ruiz seconded, and the motion carried on a vote of 5-0. Mr. Holguin left the meeting at this point. 1:11:46

- B. Desert Sands mapping update proposal – for approval:** Mr. Lopez said he is requesting permission to have Bohannon Huston update the Desert Sands area system through the project that is just ending. Ms. Nichols said that BHI gave her an estimated cost of time & materials not to exceed \$3,000. Mr. Pugh made a motion to approve, Mr. Ruiz seconded, and it carried on a vote of 4-0. 1:14:03
 - C. Proposed contract from Southwestern Wireless – authorize GM to finalize and sign:** Mr. Lopez discussed the proposed contract (attached) and requested board approval to finalize and sign it on behalf of the Authority after having the attorney review it. Mr. Pugh made a motion to approve, Mr. Ruiz seconded, and it carried on a vote of 4-0. 1:17:25
 - D. Request transfer of founding entity NMFA Planning Grants to Authority:** Mr. Lopez requested board permission to approach NMFA to transfer them the planning grants for a Berino water project and a Mesquite/Brazito sewer project to the Authority. Motion JP, RP2, unan. 1:19:34
- IX. Other discussion and agenda items for next meeting – Next meeting 12/15/10 at 10 a.m. or__:** Ms. Pargas made a correction to the dates on two of the signature lines on the OMA Resolution. Mr. Pugh said that he had been reading the job descriptions and felt that they were weak and He also said he had been reading the job descriptions and handed out copies of his proposed edits to the manager job descriptions and his suggested goals and performance objectives for the General Manager (all attached). Mr. Lopez proposed that that Projects & Operations reports be given during the Manager’s Report at the first monthly meeting, and Financial at the second. There was some further discussion of Ms. Nichols taking the minutes. Mr. Lopez mentioned that he might have the attorney to notify the mutual boards that Authority has assumed all functions.
- X. Adjourn:** Ms. Pargas made a motion to adjourn, Mr. Ruiz seconded, and it carried on a vote of 4-0.